

### REMARKS

By the present Amendment, Claims 2 and 16 have been amended to substitute a generic limitation for the list of specific sucrose synthase genes introduced in Applicants' prior response. Dependent claims 3 and 4 have been amended to better conform to claim 1 from which they depend.

In complete response to the Office Action dated November 3, 2004, requiring restriction under 35 USC 121, Applicants note that in view of the Amendments to claims 2 and 16, the restriction requirement is believed to be moot. Withdrawal of the Restriction Requirement and further examination of all of the pending claims on the merits is thus respectfully requested.

Applicants gratefully acknowledge the courtesy shown to their undersigned representative by the Examiner in the telephone conversation held on June 11, 2005. In that telephone conversation, the restriction requirement and the prior rejections of the claims under 35 USC 112, ¶1 were discussed. Pursuant to that discussion, filed herewith is an Information Disclosure Statement including copies of ten sequences selected from the list of sucrose synthase genes found at pp. 14-18 of the specification. These sequences are all full-length sequences which were publicly available prior to the December, 2000 filing date of the parent of the present application.

In the event that there are any questions concerning this paper, or the application in general, the Examiner is respectfully urged to telephone Applicants' undersigned representative so that prosecution of the application may be expedited.

Respectfully submitted,

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